

U.S. ENVIRONMENTAL PROTECTION AGENCY - REGION 5
PUBLIC NOTICE

Michael Aukerman d/b/a Michael Aukerman Excavating
3180 County Road 203
McComb, Ohio 45858
Docket No. **CWA-05-2008-0004**

The U.S. Environmental Protection Agency, Region 5, is hereby giving notice of its proposal to assess a civil penalty of \$102,000.00 against Michael Aukerman, d/b/a Michael Aukerman Excavating (Aukerman) for violations of the Clean Water Act. EPA is seeking civil penalties for Aukerman's failure to prepare and maintain records regarding the land application of domestic septage, for failure to land apply at an agronomic application rate, and for violating the vector attraction reduction and pathogen reduction requirements.

Any person wishing to comment on the proposed penalty order must submit written comments to the Regional Hearing Clerk at the address listed below within 30 days of the date of this notice. These comments should identify the case name and docket number.

Regional Hearing Clerk
EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Only Aukerman may request a hearing on the proposed penalty order. If a hearing is held, those submitting written comments will be advised of the date and time of the hearing and may appear to present evidence on the appropriateness of the proposed penalty assessment. The EPA will give notice of the final order assessing a penalty to any person who submitted written comments.

A copy of the Administrative Complaint may be obtained from the Regional Hearing Clerk or by contacting Richard R. Wagner at (312) 886-7947. All documents filed in this proceeding, including documents submitted by Aukerman, are available at the EPA Regional Office at the address listed above. The case docket will be open for public inspection between 9 a.m. and 4 p.m. Monday through Friday.

15:11 PM JUN 18 2008
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REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL PROTECTION AGENCY